

**CITY OF LIBERTY LAKE
SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 04-007B**

**A RESOLUTION OF THE CITY OF LIBERTY LAKE, WASHINGTON ADOPTING
THE CITY COUNCIL RULES OF PROCEDURE.**

WHEREAS, the Liberty Lake City Council is required pursuant to RCW 35A.12.120 to adopt rules which relate to the City Council procedures order of business, conduct of Council meetings and such other matters properly related thereto; and

WHEREAS, the Liberty Lake City Council has reviewed the attached Rules of Procedure and finds them to be acceptable and appropriate.

NOW, THEREFORE, be it Resolved by the City Council of the City of Liberty Lake, Washington as follows:

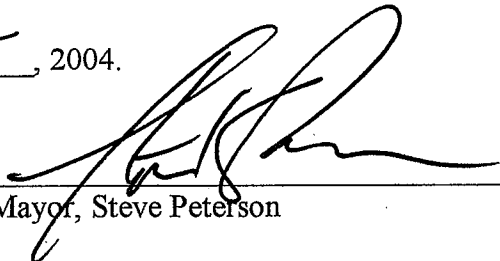
1. Rules of Procedure.

The City Council adopts the attached Rules of Procedure under the Mayor/Council form of government. For decision on points of order, the City shall be governed by the most recent edition of Roberts Rules of Order, a copy of which is maintained in the office of the Liberty Lake City Clerk.

2. Best Efforts.

These Rules of Procedure are designed to assist in the orderly conduct of City Council business. Failure of the City Council to adhere to these rules shall not result in any liability to the City, its officers, its agents and employees nor shall the same result in any invalidation of City Council action.


Adopted this 3rd day of August, 2004.



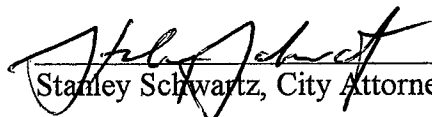
Mayor, Steve Peterson

Attest:

Approved as to Form



Arlene Fisher, City Clerk



Stanley Schwartz, City Attorney

LIBERTY LAKE CITY COUNCIL RULES OF PROCEDURE

Adopted by: Resolution 01-007
Amended by: Resolution 01-007A
Amended by: Resolution 04-007B

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Liberty Lake City Council Rules of Procedure

Adopted by: Resolution 01-007

These rules shall be considered the Rules of Procedure for the City of Liberty Lake City Council operating under the Mayor/Council form of government. For decisions on points of order, the City shall be governed by the most recent edition of Roberts Rules of Order, a copy of which is maintained in the office of the Liberty Lake City Clerk.

1. GENERAL RULES

1.1 **Meetings to Be Public:** All meetings of the Council shall be open to the public with the exception of executive sessions as defined in RCW Chapter 42.30.

1.2 **Respect and Decorum:** It is the duty of the Mayor and Council members to maintain dignity and respect for their offices, city staff and the public. While the Council is in session, the Council members shall preserve order and decorum and a member shall neither, by conversation or otherwise, delay or interrupt the proceedings of the Council, nor disrupt or disparage any member while speaking. Council members and the public shall obey the orders of the Mayor.

Any person making disruptive, disparaging or impertinent remarks or unreasonably disturbing the business of the Council, either while addressing the Council or attending its proceedings, shall be asked to leave the meeting. Continued disruptions may result in a recess or adjournment.

1.3 **Quorum:** Four Council members shall constitute a quorum and be necessary for the transaction of business. If a quorum is not present, those in attendance will be named and they shall adjourn to a later time, but no adjournment shall be for a longer period than until the next regular meeting.

1.4 **Attendance, Excused Absences:** A Council member shall forfeit his/her office by failing to attend three (3) consecutive regular meetings of the Council without being excused by the Council. RCW 35A.13.020 and 35A.12.060.

Members of the Council may be excused from a meeting by contacting the Mayor prior to the meeting and stating the reason for his/her inability to attend the meeting. If the member is unable to contact the Mayor, the member shall contact the City Clerk or Deputy City Clerk, who shall convey the message to the Mayor. The Mayor shall inform the Council of the member's absence, state the reason for such absence and inquire if there is a motion to excuse the member.

Upon passage of such motion by a majority of members present, the absent member shall be considered excused and the appropriate notation will be made in the minutes. If the motion is not passed or the above procedure is not followed, the minutes will reflect that the absence is unexcused.

- 1.5 **Attendance of City Staff:** The City Administrator, City Attorney, and City Clerk shall attend all meetings of the City Council unless excused by the Mayor. The City Administrator may report and make recommendations to the City Council and when requested shall participate in Council discussions. The City Attorney, upon request, from the Mayor or Council, shall give an opinion on legal questions. The City Clerk shall keep the minutes of the Council, record all Council votes and actions and perform such other duties as necessary for the orderly conduct of the meeting.
- 1.6 **Attendance of Media at Council Meetings:** All meetings of the Council and its committees shall be open to the media, freely subject to recording by radio, television and photographic equipment at any time; provided that if such recording interferes with the orderly conduct of the meetings the Mayor may make such orders as necessary.
- 1.7 **Journal of Proceedings:** A journal of all proceedings (minutes) of the Council shall be kept by the City Clerk and shall be entered in a book constituting the official record of the Council.

2. TYPES OF MEETINGS

- 2.1 **Regular Council Meetings:** The Council shall meet regularly on the first and third Tuesdays of each month beginning at 7:00 p.m. and ending at 10:00 p.m. with a one (1) hour extension to 11:00 p.m. unless vetoed by a Council member. When a Council meeting falls on a holiday, the Council may determine an alternate day for the meeting. The location of the meetings shall be the Liberty Lake Sewer and Water District unless specified otherwise by a majority vote of the Council.
- 2.2 **Special Meetings:** Special meetings may be called by the Mayor or any three (3) members of the Council. The City Clerk shall prepare a notice of the special meeting stating the time, place and business to be transacted. The City Clerk shall notify each member of the Council, either by telephone, fax, e-mail or otherwise of the special meeting. The City Clerk shall give at least 24 hours' notice of the special meeting to each local newspaper of general circulation and to each local radio and/or television station which has filed with the Clerk a written request to be notified of special meetings. No subjects other than those specified in the notice shall be considered.

Special meetings may be called without the notice required in this section, to deal with emergencies involving injury or damage to persons or property or the likelihood

of such injury or damage if the notice requirements would be impractical or increase the likelihood of such injury or damage.

- 2.3 Continued And Adjourned Sessions:** Any meeting of the Council may be continued or adjourned from day to day, or for more than one day, but no adjournment shall be for a longer period than until the next regular meeting.
- 2.4 Study Sessions And Workshops:** The Council may meet in study sessions and workshops (open to the public), at the request of the Mayor, or three (3) members of the Council. The purpose of the study session is to review and discuss current or proposed programs or projects of the City including the receipt of information from City Staff or others provided that all discussions and conclusions thereon shall not constitute binding actions of the Council.
- 2.5 Executive Sessions:** Executive sessions or closed meetings may be held in accordance with the provisions of the Open Meetings Act. The Council may hold an executive session during a regular or special meeting. Before convening in executive session the Chair shall publicly announce the purpose for excluding the public from the meeting place and the time when the executive session will be concluded. If the Council wishes to adjourn at the close of a meeting from executive session, that fact will be announced along with the estimated time for the executive session. The announced time limit for executive sessions may be extended by announcement of the Chair.

Council members, Mayor and all participants must keep confidential all oral and written information provided during executive sessions to protect the best interests of the City. Confidentiality also includes information provided to Council members outside of executive sessions when the information is considered exempt from disclosure under the Code of Ethics for Municipal Officers.

3. CHAIR AND DUTIES

- 3.1 Chair:** The Mayor, if present, shall preside as Chair at all meetings of the Council. In the absence of the Mayor, the Mayor Pro Tem shall preside. In the absence of the Mayor and Mayor Pro Tem the Council shall elect a Chair.
- 3.2 Call to Order:** The meetings of the Council shall be called to order by the Mayor or in his absence, the Mayor Pro Tem. In the absence of both the Mayor and Mayor Pro Tem, the meeting shall be called to order by the City Clerk or Clerk's designee for the election of a temporary Chair.
- 3.3 Points of Order:** The Chair with the assistance of the City Attorney shall determine all points of order, subject to the right of any member to appeal to the Council.

- 3.4 **Questions to Be Stated:** The Chair shall have stated all questions submitted for a vote, call the question and announce the result.
- 3.5 **Substitution for Chair:** The Chair may call upon the Mayor Pro Tem or any other member to temporarily chair the meeting.
- 3.6 **Presiding Officer - Powers:** The Chair (with limitations imposed upon the Mayor by law) may move, second, debate and vote subject only to such limitations of debate as are by these rules imposed on all members, and shall not be deprived of any of the rights and privileges of a Council member by reason of acting as the Chair.

4. COUNCIL ORDER OF BUSINESS AND AGENDA

- 4.1 **Order of Business:** The order of business for all regular meetings may include the following as applicable unless the Council, by a majority vote of the members present, suspends the rules and changes the order:

Invocation. By invitation.

Pledge of Allegiance. The Mayor leads the flag salute.

Call to Order. The Mayor calls the meeting to order.

Roll Call. The Mayor calls the roll of the Council. Council members may make a motion to excuse absent Council members.

Agenda Approval. The Mayor shall seek approval of the Agenda. Council members through motion and majority vote may add, delete or defer agenda items.

Approval of Minutes.

Announcements/Proclamations/Special Presentations. The Mayor makes announcements of upcoming meetings and events and presents proclamations. A proclamation is an official declaration made by either the City Council or the Mayor. Special presentations may also be schedule at this time.

Council Reports. Mayor and Council members report on Council Committee meetings, other meetings, and activities in which they have participated. Council members may summarize written reports submitted to the Council previously in the Council packet.

Citizens Comments. Members of the audience may comment on any City matter. Citizens may also comment on individual agenda items during any regularly

scheduled City Council meeting which is not the subject of a hearing. Comments are limited to three (3) minutes per person. See Section 8.

Consent Agenda. The Mayor identifies the items on the consent Agenda and requests a motion with a second for approval.

The Consent Agenda contains items which are of a routine and non-controversial nature which may include, but are not limited to, the following: meeting minutes, payroll, claims, budget amendments, minor and routine contracts and any item previously approved by Council with a unanimous vote and which is being submitted to Council for final approval. Any item on the Consent Agenda may, at the request of any Council member, be removed and considered separately.

Public Hearings/Appeals. The Mayor will state the public hearing procedures before each public hearing. Quasi-judicial hearings require that a decision be made by the Council which may include record review of evidence considered and that specific findings be made.

Unfinished Business.

Resolutions. The City Clerk shall introduce the Resolution by reading its title. A Resolution is adoption of a City policy or decision and may be adopted by a majority voice vote of the Council.

Ordinances. The City Clerk shall introduce the ordinance by reading its title. All ordinances shall have two readings at two separate meetings, unless the Council deems it expedient to suspend this rule. Amendments to an ordinance may be made at first or second reading. A roll call vote shall follow second reading.

Emergency Ordinances. Public emergency ordinances require a vote of a majority plus one of the whole Council membership, and may be made effective upon adoption.

A public emergency ordinance is one designed to protect public health and safety, public property, or the public peace; it may not levy taxes, grant, renew, or extend a franchise to authorize the borrowing of money.

Executive Session. An executive session may be convened that is closed to the public and attended only by Mayor, Council and invited participants such as City Administrator, City Attorney, City staff and/or individuals authorized by the Mayor or City Council.

Staff Reports. The City Administrator and the City Attorney may report on issues of

interest to the Council which do not require Council action.

New Business.

Citizen Comments.

Adjournment. With no further business to come before the Council, a Council member moves to adjourn the meeting.

- 4.2 **Council Agenda:** Subject to the Council's right to amend the agenda, no legislative item shall be voted on which is not on the Council agenda, except in emergency situations relating to the public's health, safety or welfare.

5. VOTING AND MOTIONS

- 5.1 **Voting:** Votes during Council meetings shall be conducted as follows:

- a. Recorded votes occur on Ordinances and Resolutions.
- b. Unless otherwise required by Statute, Ordinance or Resolution, votes shall be taken by voice except at the request of the Mayor or any Council member a role call vote shall be recorded by the City Clerk.
- c. Where there is a tie vote on any matter, the Mayor may vote unless it relates to the passage of any ordinance, grant or revocation of franchise or license, or any Resolution for the payment of money.
- d. Each Council member shall vote on all questions and matters before the Council, unless a conflict of interest or appearance of fairness disqualifies the member.

- 5.2 **Mayor:** The Mayor shall only vote where there is a tie vote between Council members with respect to matters other than the passage of Ordinances, grants or revocation of franchise or license, or any resolution for the payment of money.

- 5.3 **Motions:** No motion shall be considered or debated until duly seconded and announced by the Chair. The motion shall be recorded and, if desired by any Council member, it shall be read by the City Clerk before it is debated and, by the consent of the Council, may be withdrawn at any time before action is taken on the motion.

- 5.4 **Disqualification:** Any Council member who is disqualified from voting on a matter shall be excused from the Council dais and shall not participate in the debate. The Council member shall state the reason for the disqualification.

- 5.5 **Motions to Reconsider:** A motion to reconsider must be made by a person who voted with the majority on the principal question and must be made at the same or succeeding regular meeting. No motion to reconsider an adopted quasi-judicial written decision shall be entertained after the close of the meeting at which the written findings and decision were adopted.

6. RESOLUTIONS AND ORDINANCES

- 6.1 **Review by City Attorney:** All Resolutions and Ordinances shall be reviewed by the City Attorney. No Ordinance or Resolution shall be prepared for presentation to the City Council unless requested by the Mayor or three (3) Council members.
- 6.2 **Procedure:** Ordinances shall generally require two readings. The first reading will consist of a staff presentation and may include Council discussion. The second reading will occur at a subsequent meeting and will involve a Motion, Second, Public Comment, Council Discussion and Vote.
- 6.3 **Format of Ordinances And Resolutions:** Resolutions and Ordinances shall be in a format determined by the City Clerk including the numerical identification. No Ordinance or Resolution shall contain more than one subject which shall be clearly stated in the title. No Resolution or Ordinance shall be amended unless the amendment sets forth each modified section in full. Resolutions shall be signed by the Mayor and Ordinances shall be signed by the Mayor and attested to by the City Clerk. The City Attorney shall sign all Resolutions and Ordinances to approve the form.

7. PUBLIC HEARING PROCEDURES

- 7.1 **Sign-in:** Prior to the start of a public hearing the Chair may require that all persons wishing to speak sign their name, address and indicate whether they wish to speak as a proponent, opponent or from a neutral position. Any person who fails to sign in shall not be permitted to speak until all those who signed in have given their testimony. The Chair may change the order of speakers so that testimony is heard in the most logical groupings (i.e. proponents, opponents, adjacent owners, etc.).
- 7.2 **Timing; Representation:** The City Council will take public testimony during a public hearing, the public comment period and prior to passage of Resolutions and Ordinances. Persons appearing before the Council should limit their comments to three (3) minutes. Where an organization is appearing before the City Council, it should designate a representative to speak on behalf of its members.
- 7.3 **The Public Hearing Process:** The Chair introduces the agenda item, opens the

public hearing and announces the following Rules of Order:

1. All comments by proponents, opponents or other members of the public shall be made from the podium; any individuals making comments shall first give their name and address.
2. No comments shall be made from any other location. Anyone making "out of order" comments shall be subject to removal from the meeting. If you are disabled and require accommodation, please advise the Chair.
3. There shall be no demonstrations (i.e. applause) during or at the conclusion of anyone's presentation.
4. These rules are intended to promote an orderly system of holding a public hearing, giving every person an opportunity to be heard ensuring that no individual is annoyed or embarrassed by exercising his/her right of speech.

The Chair may call City Staff to describe the matter under consideration.

The Chair calls upon proponents, opponents and all other individuals who wish to speak regarding the matter under consideration.

The Chair inquires as to whether any Council member has questions to ask the proponents, opponents, speakers or staff. If any Council member has questions, the appropriate individual will be recalled to the podium.

The Chair continues the public hearing to a time specific or closes the public hearing.

7.4 Quasi Judicial Hearings: In addition to the Rules of Order set forth in Section 7.3, the following rules should be observed during a quasi judicial public hearing.

1. The Chair shall announce the matter for consideration and ask Council members to indicate any ex parte oral or written communications with a party, conflicts of interest or any appearance of fairness issues. After all disclosures are made, the Chair will ask if any party to the quasi judicial matter desires to challenge or request a Council member abstain from the decision on the matter. The challenge shall be placed on the record.

8. DUTIES AND PRIVILEGES OF CITIZENS

8.1 Meeting Participation: Citizens are welcome at all Council meetings and are

encouraged to attend and participate. Recognition of a speaker by the Chair is a prerequisite for an orderly and effective meeting. It is expected that all speakers will deliver their comments in a courteous and efficient manner and will speak only to the subject under consideration.

- 8.2** **Subjects Not on The Current Agenda:** Under agenda item A Citizens Comments" citizens may address any item they wish to discuss with the Mayor and Council. They shall first obtain recognition by the Chair, state their name, address and subject of their comments. The Chair shall then allow the comments, subject to a three (3) minute limitation per speaker, or other limitations as the Chair or Council may deem necessary. Following such comments, if action is required or has been requested, the Chair may place the matter on the current agenda or a future agenda or refer the matter to staff or a Council Committee for action or investigation and a report at a future meeting.
- 8.3** **Subjects on the Current Agenda:** Any member of the public who wishes to address the Council on an item on the current agenda shall make such request to the Chair.
- 8.4** **Manner of Addressing The Council:** All remarks shall be addressed to the Council and not to any individual member. No questions shall be asked of the Council members, except by permission of the Chair.
- 8.5** **Written Communications:** Interested parties, or their authorized representatives, may address the Council by written communication in regard to any general matter concerning the City. The written communication may be submitted by direct mail or by addressing the communication to the City Clerk who will distribute copies to the Council members. The communication will be entered into the record, if requested by the party.
- 8.6** **"Out of Order" Comments:** Any person whose comments have been ruled out of order by the Chair shall immediately cease and refrain from further improper comments. The refusal of an individual to desist from inappropriate, disparaging or otherwise disruptive remarks after being ruled out of order by the Chair may subject the individual to removal from the Council Chambers.

9. FILLING COUNCIL VACANCIES AND SELECTING MAYOR [PRO TEM]

- 9.1** **Notice of Vacancy:** If a Council vacancy occurs, the Council will follow the procedures outlined in RCW 35A.13.020. In order to fill the vacancy with the most qualified person available until an election is held, the Council will distribute and publish a notice of the vacancy, the procedure and deadline for applying for the position.

- 9.2 **Application Procedure:** The Council will draw up an application form which contains relevant information. The application form will be used in conjunction with an interview of each candidate to aid the Council's selection of the new Council member.
- 9.3 **Interview Process:** All qualified candidates who submit an application by the deadline will be interviewed by the Council during a regular or special Council meeting open to the public. The order of the interviews will be determined by drawing names. To promote fairness, applicants will be asked to remain outside the Council Chambers while other applicants are being interviewed. Applicants may be asked to answer questions submitted to them in advance of the interview and questions posed by each Council member during the interview process. The Council members will ask the same questions of each candidate. Each candidate will then be allowed two (2) minutes for closing comments.
- 9.4 **Selection of Council member:** The Council may recess into executive session to discuss the qualifications of all candidates. Nominations, voting and selection of a person to fill the vacancy will be conducted during an open public meeting.
- 9.5 **Duties of Mayor Pro Tem:** In the temporary absence of the Mayor, the Mayor Pro Tem shall perform the duties and responsibilities of the Mayor with regard to the conduct of meetings and emergency business.
- 9.6 **Selection of Mayor [Pro Tem]; Nominations:** The Mayor Pro Tem will be selected by the Council members. The term for Mayor Pro Tem shall be two (2) years from the date of election. Council members may each nominate one person for Mayor Pro Tem. Nominations require a second. Each Council member shall be given the opportunity to submit a nomination for Mayor Pro Tem. After all nominations are made, the Mayor will call for a vote on the nominations in the order they were made. Voting will be either by voice or a recorded vote as determined by the Mayor. As soon as one nominee receives a majority vote of four (4) votes of the Council, that Council member will be declared the Mayor Pro Tem. No votes will be taken on the remaining nominees.
- 9.7 **Removal of Mayor Pro Tem:** The Mayor Pro Tem may be removed from office upon a vote of four Council members.

10. PREPARATION OF AGENDA

- 10.1 **Staff Duties:** The City Clerk, under the direction of the Mayor, will prepare the agenda for each Council meeting setting forth a brief description of each item to be considered by the Council. The agenda prior to submission to the Council shall be reviewed by the Chair.

10.2 **Agenda Items:** An item to be considered by the City Council at a regular meeting may be placed on the agenda by the Mayor, Council member or the City Administrator.

10.3 **Timing of Preparation:** The agenda will be put in final form by 1:00 p.m. Friday prior to the following Tuesday evening Council meeting. Agendas will be distributed to the City Council and City Staff by 5:00 p.m. Friday. Agenda materials will be available at City Hall for the media and public on the Friday before the regular meeting. Nothing contained herein shall prevent the Mayor, Council members, or the City Administrator from adding a matter to the agenda prior to the City Council approval of the agenda according to Section 4.

11. COUNCIL COMMITTEES

11.1 **Standing Committees:** There shall be four (4) sub-committees of the Council.

- A. **Finance Committee.** This committee shall consist of the Mayor who serves as the Chair and three (3) Council members nominated by the Mayor Pro Tem and confirmed by the City Council. The Finance Committee has the responsibility to review and report its recommendations on the annual budget and such other matters that relate to the financial affairs of the City.
- B. **Public Safety Committee.** This committee shall consist of the Mayor, or at the Mayor's discretion, three (3) Council members with one (1) Council member nominated by the Mayor and two (2) Council members nominated by the Mayor Pro Tem with all members confirmed by the City Council. The Public Safety Committee, upon the request of the Mayor or City Council shall review, and make recommendations to the City Council on issues related to the public health, safety and welfare of the citizens of Liberty Lake including, but not limited to, considering and reviewing programs, plans and other non-personnel activities involving police and fire services as well as other public safety activities of the City.
- C. **Community Development.** This committee shall consist of the Mayor, or at the Mayor's discretion, three (3) Council members with one (1) Council member nominated by the Mayor and two (2) Council members nominated by the Mayor Pro Tem with all members confirmed by the City Council. The Community Development Committee shall review and recommend to the City Council matters which relate to the orderly growth and development of the City.

- D. Public Works Committee. This committee shall consist of the Mayor or at the Mayor's discretion three (3) Council members with one (1) Council member nominated by the Mayor and two (2) Council members nominated by the Mayor Pro Tem with all members confirmed by the City Council. The Public Works Committee reviews matters which relate to public works, including but not limited to, the infrastructure and public improvements owned, controlled or operated by the City.
- E. Members of the standing committees shall be appointed for a one (1) year term at the second meeting in January of each year.

12. SUSPENSION AND AMENDMENT OF RULES

- 12.1 Suspension of These Rules**: Any provision of these rules may be temporarily suspended by a vote of a majority of the Council.
- 12.2 Amendment of These Rules**: These rules may be amended or new rules adopted by a majority vote of all members of the Council, provided that the proposed amendments or new rules shall have been introduced into the record at a prior Council meeting.

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SPOKANE COUNTY, WASHINGTON
RESOLUTION NO. 04-007B**

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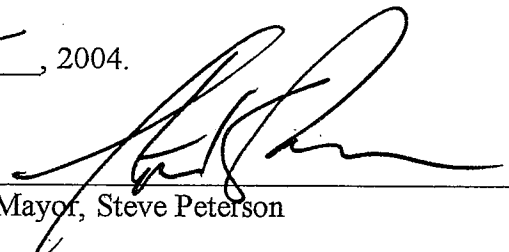
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Adopted this 3rd day of August, 2004.



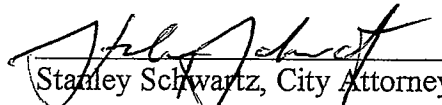
Mayor, Steve Peterson

Attest:

Approved as to Form



Arlene Fisher, City Clerk



Stanley Schwartz, City Attorney